

1. Are you in favor of amending and replacing “sign types” in the Fremont Zoning Ordinance currently Article III Section 3 as follows:
~~The following types of signs only shall be permitted: Town, State and Federal Highway directional and regulatory signs, historic signs, those relating to the sale or lease of the premises, the profession or home occupation of the occupant, property restriction signs, identification signs for residences, the sale of goods or products sold on the premises except that in such case no signs or group of signs shall exceed twenty five (25) square feet in area and shall not be placed so as to obstruct view on Highway.~~

Fremont Sign Ordinance

1.1. PURPOSE

This ordinance regulates all new or materially altered signs in the Town of Fremont.

- A. *The primary purpose of a sign is to convey information.*
- B. *Depending on their size, density (of both the letters on individual signs as well as overall signage in the town), and character, signs may attract or repel visitors, affect the visual quality enjoyed daily by residents, affect the safety of vehicular traffic, and define the character of the area. Thus signage may impact prosperity, aesthetics, public health, safety and welfare.*

This ordinance does not regulate the specific content of signage. This ordinance only regulates aspects of the time, place and manner of signage for the following purposes:

- 1) *Maintain and enhance the visual quality or aesthetics of the community;*
- 2) *Improve pedestrian and motorist safety by minimizing distractions and obstacles to clear views of the road and of directional or warning signs;*
- 3) *Improve motorist safety by encouraging fewer words per sign;*
- 4) *Protect and enhance the visual and scenic quality of the community’s night sky by limiting light pollution emitted from signs and restricting the hours of lighting of signs;*
- 5) *Protect and enhance economic viability by assuring that Fremont will be a visually pleasant place to live, work and shop;*
- 6) *Protect property values and private/public investments in property;*
- 7) *Protect scenic views of the natural landscape and significant historical areas of the Town of Fremont, which contribute to both the economic viability of Fremont and the welfare of its residents;*
- 8) *Avoid personal injury and property damage from structurally unsafe signs; and*
- 9) *Provide businesses with effective and efficient opportunities for identification by reducing competing demands for visual attention.*

1.2 **DEFINITIONS**

Abandoned sign. *An abandoned sign is:*

- a) *Any sign that does not display a well-maintained message for a consecutive one hundred and twenty (120) day period.*
- b) *Any sign the owner of which cannot be located after reasonable efforts have been made; or*
- c) *Any sign no longer fully supported, by the structure designed to support the sign, for a consecutive one hundred and twenty (120) day period.*
- d) *Any sign no longer advertising bona fide business and or products sold.*

Agriculture. *Land and associated buildings whose primary use is to produce crops or livestock or to provide boarding or storage facilities for agricultural products or animals.*

Billboard. *A sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.*

Directional sign. *A sign on private property without a commercial message that gives direction such as entrances, exits, or street numbers.*

Electronic message board. *A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. A time and/or temperature sign which does not display any other changeable message shall not be considered an electronic message board.*

Government sign. *A sign authorized by this municipality, another governmental agency, the State of New Hampshire, or the federal government.*

Inflatable advertising device. *An air-filled or helium-filled structure – including, but not limited to those in the likeness of a figure such as an animal, character, or hot air balloon – intended to draw attention to a particular business.*

Materially altered. *Any change in construction materials for the supporting structures, location, lighting or form (shape, proportions) but not changes in content or wording. Reuse of the same supporting structure and replacement with a new sign of the same dimensions of the previous sign by a new tenant that does not change construction materials of the supporting structures, location, lighting, or form shall not be considered materially altered.*

Person. *Any individual or entity, including a firm, partnership, association, corporation, limited liability company, trustee, and their legal successors.*

Political sign. *Banners, placards, roadside signs and the like promoting political candidates or positions on political issues.*

Promotional sign. *A sign that advertises a special or temporary event.*

Roof sign. *A sign erected, constructed, or maintained upon a roof, or which projects above the roofline of a building.*

Sandwich-board sign. *Any A-frame style sign, typically temporary and portable, having two sides, and less than six (6) square feet in total surface area per side.*

Seasonal sign. *A sign that specifically relates to one of the seasons of the year, including but not limited to the harvest season of a particular agricultural product of a seasonally-based recreational activity.*

Sign. An object, including a structure, movable object, wall or image displaying any message visible to the public. Notices legally placed on public property and removed on a daily basis are not considered signs. Letters or numbers individually painted on or attached to a face of a building that identify only the address of the occupant are not considered a sign.

Signs, permitted with a permit. The following sign types are permitted with a permit, and are defined in section 1.5 of this ordinance: Awning Signs, Freestanding Post Signs, Hanging or Suspended Signs, Monument Signs, Multi-Tenant Signs, Pole Signs, Projecting Signs, Residential Subdivision Signs, Wall Signs, and Window Signs.

Special event sign. A sign for events such as festivals, benefits, and other limited term events.

1.3 **SIGNS AUTHORIZED WITHOUT A SIGN PERMIT:**

Subject to other applicable requirements and permits, the following signs are authorized **without a permit:**

- A. **Small signs.** Personal non-commercial signs are permitted, provided they are not illuminated.
- B. **No trespassing signs** may be posted as follows, pursuant to this ordinance and RSA 635:4.
- C. **“For Sale” signs.** Signs pertaining to the lease, sale, or use of the land or buildings on which it is placed, including signs advertising products or articles sold or produced on the premises may be posted, provided they are not illuminated.
- D. **Governmental signs.** Governmental signs do not require a permit. These signs include highway, park, or other regulatory or informational signs of municipal, county, state or local government.
- E. **Directional signs.** Signs that provide driving directions do not require a permit; however, only one entrance/exit sign is allowed per legal driveway and a directional sign may not exceed 1.5 square feet not block the sightlines of drivers entering or exiting the property.
- F. **Warning signs.** Signs exclusively devoted to warning the public of dangerous conditions and unusual hazards such as drop offs, high voltage, fire danger, and explosives do not require a permit. Warning signs shall not exceed three square feet.
- G. **Historical, Cultural and Natural Site signs.** A sign erected by a governmental agency, which exclusively denotes a recognized historical, cultural or natural site, does not require a permit. This sign shall not exceed three square feet unless otherwise provided by state or federal law.
- H. **Banners.** Banners used on a private residential property, such as those used for family events or birthdays do not require a permit so long as they remain in place for no longer than seven days. Banners shall be no larger than thirty (30) square feet. For example, a banner with dimensions of three (3) feet by ten (10) feet, or five (5) feet by six (6) feet, or two (2) feet by fifteen (15) feet would be permitted. Banners used by a non-profit organization for a special event coordinated with the Town do not require a permit, so long as they do not obstruct the view of motorists and remain in place no longer than seven (7) days.
- I. **Political signs.** Political signs, during periods specified by the Board of Selectmen, do not require permits. Political signs should not be placed in areas where they will create a traffic safety hazard due to obstruction of the sightlines at

intersections or driveways. **Political signs are not regulated by this Ordinance. Please refer to RSA664:17.**

J. Flags.

- 1) **Governmental flags.** National, state, and local flags do not require a permit. A flagpole may not exceed thirty (30) feet above ground level for the purposes set forth in this ordinance.
- 2) **“Open” flags.** Flags noting that a business is open to customers do not need a permit provided that they are put up and taken down consistently with the hours of operation of any business that displays them. Open flags shall be no larger than nine square feet.

1.4 PROHIBITED SIGNS

- A. **Inflatable advertising devices.** Inflatable devices, such as, but not limited to, inflatable animals, characters, or large balloons, shall not be allowed in the Village District or the Flexible Use Residential District due to their negative effect on the scenic and aesthetic qualities of the town and potential safety hazard. An individual balloon or group of balloons, which when inflated, no dimension of which is greater than two (2) feet, placed at a height no greater than twelve (12) feet above ground level, is permitted so long as the balloon(s) does not become a safety hazard by obstructing the view of motorists or remain in place longer than seven (7) days.
- B. **Billboards.** No billboard not existing at the time of the adoption of this Ordinance shall be permitted. A billboard is defined as that type of sign that advertises goods, products, merchandise, business, or any other sort of enterprise or adventure not actually available at the premises where the billboard is located.
- C. **Portable sign.** A portable sign not permanently attached to the ground or other permanent structure and designed to be transported by means of wheels shall be prohibited.
- D. **Vehicles.** No vehicle which is used primarily as an advertising display may be parked on any street or parking lot or any place within the Town of Fremont, except vehicles displaying temporary political advertising that shall be placed and removed within the period designated by the Board of Selectmen for each election. For the purposes of the subparagraph “vehicle” includes but is not limited to vans, trailers, automobiles or trucks with signs or placards on their exterior or interior.
- E. **Electronic message boards and flashing signs.** Signs containing electronic message boards shall be prohibited. Signs that flash, rotate, or otherwise create movement are prohibited. This includes time/temperature signs.
- F. **Sandwich/Sidewalk Signs.** A moveable sign not secured or attached to the ground or surface upon which it is located. Typically an advertising sign constructed to form an “A” or a tent-like shape.
- G. **Signs in the Right-of-Way:** No signs shall be allowed in the Town or State Right-of-Way.
- H. **Highly Reflective and Fluorescent Signs.** Signs made wholly or partially of highly reflective materials and/or fluorescent or day-glow painted signs.
- I. **Pole Signs:** A sign that is supported by, or suspended from one free-standing column.

1.5 SIGNS AUTHORIZED WITH A PERMIT: SIGN STANDARDS BY SIGN TYPE

This section is intended to be used in conjunction with other standards contained in this sign ordinance. In no case may the maximum number or size of signs, or their illumination, exceed the standards provided by Section 1.6, Additional Sign Regulations.

A. Wall Signs

1. **Definition.** *A sign attached to, painted upon, placed against, or supported by the exterior surface of any building.*
2. **Signage Guidelines.** *Wall signs include most types of signage that are attached to the face of a building wall. These include channel letter made out of wood, metal or plastic. Wall signs may be painted on a wall, or on a board that is attached to a wall. Wall signs should be oriented to achieve balanced composition and harmony with other architectural elements of a building façade. Wall signs should be placed on a flat building surface and should not be placed over or otherwise obscure architectural building features.*
3. **Location and Number Permitted.** *Wall signs must be located on a building face that has a public entrance. The maximum number of wall signs permitted is one (1) per tenant space.*
4. **Size.** *Wall signs shall not exceed an area of one half (½) of a square foot of sign for every one (1) linear foot of building (or business) facing the street. Wall signs with changeable copy are limited to fifty (50%) percent of the total sign area.*
5. **Zoning.** *Wall signs are allowed in Village, Corporate Commercial and Commercial Highway Districts.*

B. Window Signs.

1. **Definition.** *A sign affixed to the interior or exterior of a window or placed immediately behind a windowpane so as to attract the attention of person outside the building.*
2. **Signage Guidelines.** *Window signs should be scaled to the pedestrian and oriented to window shopper on the sidewalk, as opposed to vehicles passing by. Window signs should be limited to small graphics and text that serve to frame a window or to provide information. A window sign should not **obscure the view into a store or place of business.***
3. **Location and Number.** *There is no specific location requirement or limit to the number of window signs allowed. A window sign is a sign that is painted on or attached to a window and located within twelve (12) inches of the face of a window. Window signs do not include business hours of operation or open/closed signs. Window displays, including merchandise displays, graphics and text, that are located more than twelve inches from the face of a window are not considered signs.*
4. **Size.** *Sign coverage on an individual window may cover up to a maximum of twenty-four (24) square feet or fifteen (15%) percent of each window area, whichever is less.*
5. **Zoning.** *Window signs are allowed in Village, Corporate Commercial and Commercial Highway Districts.*

C. Awning Signs.

1. **Definition.** A sign incorporated into or attached to an awning.
2. **Signage Guidelines.** Signs on awnings should be minimized and are only appropriate if there are no good alternatives for wall signs, projecting signs or hanging and suspended signs. Signage should be limited to the skirt of the awning and should not be on the awning face. Signs should only be considered for the awning face if there is no other adequate location for the signage on a given storefront or property. Backlit translucent awning signs are not allowed.
3. **Location and Number.** Signs may be located on awnings subject to size criteria. One (1) awning sign is permitted per tenant space and must maintain a minimum clearance of eight (8) feet above any public right-of-way or private sidewalk area.
4. **Size.** Signs on Awnings shall only be located on the skirt or vertical face and may only be a maximum of one (1) foot high. Awning signs shall not exceed twelve (12) square feet, as shown in the figure below.
5. **Zoning.** Awning signs may be located in Village, Corporate Commercial and Commercial Highway zones.

D. Projecting Signs.

1. **Definition.** A sign affixed to any part of a building or a structure that extends beyond the building or structure by more than twelve (12) inches.
2. **Signage Guidelines.** Projecting signs are attached to a building face and project out perpendicular to the building wall. Projecting signs are very effective when oriented to the pedestrians on the sidewalk level. Appropriate materials include wood and metal with carved or applied lettering, or any other material that is architecturally compatible with the building that the sign is attached to. Multiple projecting signs should not be installed within ten (10) feet of each other if on the same property and should be separated from projecting signs on adjacent properties by ten (10) feet to ensure proper visibility.
3. **Location and Number.** Projecting signs must be attached to building facades that have a public entrance and must maintain a minimum clearance of eight (8) feet above the public right-of-way or private sidewalk area. One (1) projecting sign is allowed per tenant space.
4. **Size.** Projecting signs may have a maximum area of eight (8) square feet.
5. **Zoning.** Projecting signs are allowed in the Village, Corporate Commercial and Commercial Highway Districts.

A. Exception: The Planning Board, at its' determination through Site Plan Review, may allow for and determine the appropriate location and size of projecting signs in the Flexible Use District referenced in Article XVIII Section 4.1.1 of the Fremont Zoning Ordinance.

E. Hanging and Suspended Signs.

1. **Definition.** A sign that is suspended parallel, or perpendicular from a building wall, roof, façade, canopy, marquee, or porch by means of brackets, hooks or chains and the like.

2. **Signage Guidelines.** *Hanging signs, or suspended signs, are used to help define entries and identify business names to pedestrians. They are small and can hang over a building entry if the appropriate clearance is provided. Hanging signs can be particularly useful for storefronts that have multiple tenants.*
3. **Location and Number.** *Hanging or suspended signs must be attached to building facades that have a public entrance and must maintain a minimum clearance of eight (8) feet above any public right-of-way or private sidewalk area. One hanging or suspended sign is allowed per tenant space.*
4. **Size.** *Hanging signs may have a maximum area of eight (8) square feet and a maximum of twelve (12) inches in height.*
5. **Zoning.** *Hanging and suspended signs are allowed in Village, Corporate Commercial and Commercial Highway Districts.*

A. **Exception:** *The Planning Board, at its' determination through Site Plan Review, may allow for and determine the appropriate location and size of projecting signs in the Flexible Use District referenced in Article XVIII Section 4.1.1 of the Fremont Zoning Ordinance.*

F. Monument Signs.

1. **Definition.** *A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles. The base of the sign structure shall be on the ground or a maximum of twelve (12) inches above the adjacent grade. The width of the top of the sign shall not be greater than the width of the bottom of the sign.*
2. **Signage Guidelines.** *Monument signs are typically used where building setbacks, orientation or design make it difficult to provide other types of signage, such as wall signs, that are plainly visible to people that are trying to identify the use. Monument signs have a solid base that the sign face is installed upon. These signs should be designed so that the style of the sign and its base are consistent with the architecture of the building on the site. They are typically oriented perpendicular to the adjacent street and sidewalk and have a maximum of two (2) parallel sign faces. Monument signs provide opportunities for landscaping to enhance their appearance.*
3. **Location and Number Permitted.** *Monument signs are subject to the setback requirement is section 1.6 C. Only one monument sign is permitted per parcel.*
4. **Size.** *Monument signs may be a maximum of forty (40) square feet in the FUR and V districts, and a maximum of sixty (60) square feet in the Corporate Highway and Corporate Commercial districts. The maximum height of a monument sign is six (6) feet, from the adjacent grade, in all districts. Where two (2) or more uses are located on the same premises, the sign area for monument signs must be shared. The largest single sign face is used to calculate the area of monument signs.*
5. **Zoning.** *Monument signs are allowed in all Zoning Districts.*

G. Freestanding Post Signs.

1. **Definition.** A freestanding sign supported primarily by two (2) support poles. The base of the sign structure shall be on the ground or a maximum of twelve (12) inches above the adjacent grade. The width of the top of the sign shall not be greater than the width of the bottom of the sign.
2. **Signage Guidelines.** Freestanding post signs are primarily used to identify office uses, especially where a former residence has been converted into an office. They are similar to monument signs, except they do not have a base other than the support posts, they usually have a single sign face, and they are usually oriented parallel to the sidewalk instead of perpendicular. The colors and materials used for the sign must be compatible with the associated building design. Lettering should be carved, routed or applied as opposed to painted on a flat board.
3. **Location and Number.** Monument signs are subject to the setback requirement is section 1.6 C. Only one (1) monument sign is permitted per premises, per street frontage.
4. **Size.** The maximum sign area for freestanding post signs is thirty-two (32) square feet. Freestanding post signs shall not be taller than ten (10) feet, measured from the ground to the top of the sign structure. Where two (2) or more uses are located on the same premises, the sign area for freestanding post signs must be shared.
5. **Zoning.** Freestanding post signs are allowed in all Zoning Districts.

H. Multi-Tenant Signs.

1. **Definition.** A freestanding sign used to advertise businesses that occupy a shopping center or complex of two (2) or more tenants located on the same parcel.
2. **Signage Guidelines.** Multi-Tenant Signs are used for multi-tenant buildings, or parcels, to provide a directory of tenants within a building or parcel. These signs should be compatible with the design of the development. Larger developments with more than five (5) tenants should avoid listing individual tenants, other than project anchors, to avoid sign clutter. The sign structure should contain elements of the design theme of the building, or buildings, within the development.
3. **Location and Number.** One (1) Multi-Tenant sign may be located on each major street frontage, with an entrance to the property, of a development.
4. **Size.** Multi-Tenant signs may have a maximum area of ninety-six (96) square feet in the Corporate Commercial, Corporate Highway and Village Districts and thirty-two (32) square feet in the Flexible Use Residential District. Multi-Tenant signs may have a maximum height of twelve (12) feet in the CC, CH and V districts and eight (8) feet in the Flexible Use Residential District.
5. **Zoning.** Multi-Tenant signs may be located in all Zoning Districts.

I. Residential Subdivision Signs.

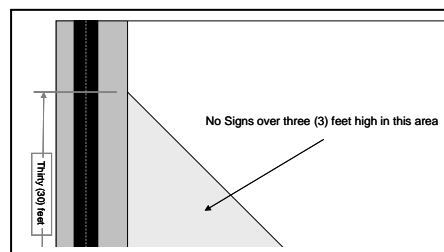
1. **Definition.** A permanent sign at the entrance of a residential neighborhood identifying the neighborhood.
2. **Signage Guidelines.** The purpose of residential Subdivision signs is to identify the name of a subdivision, provided the subdivision is not an in-fill project within an established neighborhood. They are usually monument signs or wall signs placed on a wall feature in a landscaped open space area at the entry of the development.

2a. Temporary Subdivision Signs. Signs that advertise the subdivision and lots available are allowed, but all temporary signs shall be removed at the time the road is accepted at Town Meeting.

3. **Location and Number.** One (1) permanent residential subdivision sign is allowed at each entrance of a subdivision. These signs are not permitted unless they are located within a landscaped area that is maintained by a homeowner's association.
4. **Size.** Each sign may be up to twenty (20) square feet and shall not be taller than six (6) feet, measured from the ground to the top of the sign structure.
5. **Zoning.** Residential subdivision signs are allowed in all Zoning Districts.

1.6 ADDITIONAL SIGN STANDARDS

- A. **Number of Signs.** A non-residential parcel may have one sign attached to the building (Wall Sign, Awning Sign, Projecting Sign, or Hanging or Suspended Sign) and one free standing sign (Monument Sign, Freestanding Post Sign, Pole Sign or Multi-Tenant Sign). Window Signs do not count towards the sign total.
- B. **Sightlines.** No sign shall project within the limits of a Town or State Right-of-Way (except when put up by the State or Town authorities having jurisdiction over such highway) or be placed so as to obstruct the view at any highway intersection or so as to endanger traffic.
- C. **Setbacks.** All signs must be set back at least ten (10) feet from all side property lines. A sign must not impair a motorist's visibility of oncoming traffic. Signs over three (3) feet tall are not allowed in the triangle depicted below. At actual intersections, this area will likely not be a right triangle.



- D. **Visibility of Letters and Numbers.** Letters and numbers on a sign shall be clearly visible. Letters of the name of the business or product advertised shall be

consistent with the *Manual on Uniform Traffic Control Devices*, but may be larger. It is recommended that business owners convey a clear simple message containing the name of the business and the nature of the business and avoid secondary information where possible.

- E. ***Illumination.*** Signs should be lighted only to the minimum level required for nighttime readability. The intent is to light only the sign, and not create glare onto adjacent properties or onto the right of way. All external light sources shall be white. Lighting that is directed toward a sign shall be designed and shielded so that it illuminates the face of the sign and does not shine beyond the edge of the sign. Internal illumination of an entire sign panel is discouraged. If internal illumination is used, a system that backlights sign text only is required. The Planning Board may set the hours that a sign is illuminated.
- F. ***Special Event signs.*** Temporary signs for business-related special events or promotions shall be allowed for a period not to exceed fourteen days and not more frequently than once (1) a year and they are subject to these restrictions:
 - 1) They shall be placed on private property only, not in public rights of way.
 - 2) They shall in no way impede sightlines at any driveway entrance or exit.
 - 3) They shall be no larger than twenty four (24) inches wide by thirty six (36) inches high. (This does not apply to persons or animals serving as animated signs.)
 - 4) No electrical devices shall be used in conjunction with these types of signs.
 - 5) A maximum of one such sign shall be allowed per business.
 - 6) The signs shall be removed each day when the business is not operating.
- G. ***Seasonal signs.*** Temporary signs that advertise a seasonal event, activity, or harvested product, such as but not limited to “ice skating” or “pumpkins” shall be allowed for a period not to exceed one month.

Seasonal signs must be durable in nature, and shall be no larger than thirty (30) square feet. A business may be allowed on seasonal sign in addition to other allowed existing signs. Seasonal signs must meet all other restrictions concerning sightlines, height, and placement concerning ground and wall signs.
- H. ***Non-Permitted Signs.*** Sign types that are not specifically allowed under this ordinance are forbidden.

1.7 PERMITTING

All proposed signs shall be identified on incoming plan sets, and receive approval of the Planning Board. Existing signs that are allowed by permit (section 1.5) may be modified or changed with a permit issued by the Building Inspector. Changing the location of an existing sign, not attached to a building, requires the approval of the Planning Board.

1.8 INSPECTION AND COMPLIANCE

It shall be the responsibility of the Building Inspector or Code Enforcement Officer to ensure compliance with this ordinance within the Town of Fremont.

1.9 NOTICE

If the Building Inspector finds that any sign does not comply with this ordinance or is in his/her opinion unsafe, or in disrepair, then he/she shall immediately notify the owners to correct the improper condition. Owners who do not correct the provision shall be found in

violation of this Zoning Ordinance and any such sign shall be declared a public nuisance, and after ninety (90) days the Town, at its sole discretion, may remove the sign at the owner's expense.

1.10 NON-CONFORMING STRUCTURE

All legally existing signs which did not conform to the provisions of this ordinance on March 11, 2008, shall be considered legally existing, non-conforming signs.

1.11 FINES

- 1. Any violation of this Ordinance is punishable by a civil penalty of two hundred and seventy five (\$275) dollars for the first offence and five hundred and fifty (\$550) dollars for subsequent offences for each day that such violation is found by the court to continue after conviction date or after the date on which the violator receives written notice from the municipality that he is in violation of the ordinance, whichever date is earlier. The provisions of RSA 676:17 II, III, IV and V are incorporated as part of this section.*